

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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MACKENZIE-CHILDS, LTD and MACKENZIE-CHILDS  
AURORA LLC

Civil Action No.  
06-CV-6107  
MAT-MWP

Plaintiff,

- against -

VICTORIA MACKENZIE-CHILDS, RICHARD  
MACKENZIE-CHILDS and VR EMPRISE, LLC,

Defendants.

-----X

VICTORIA MACKENZIE-CHILDS, RICHARD  
MACKENZIE-CHILDS and VR EMPRISE, LLC,

Counterclaim Plaintiffs,

- against -

PLEASANT ROWLAND, MACKENZIE-CHILDS, LTD., MCL  
ACQUISITION CORPORATION, MACKENZIE-CHILDS OF  
NEW YORK, LTD., LEE FELDMAN, MACKENZIE-CHILDS  
AURORA LLC, MACKENZIE-CHILDS WORTH AVENUE  
LLC, MC NYC LLC, MACKENZIE-CHILDS REAL ESTATE  
LLC, and JOHN DOES 1-5,

Counterclaim Defendants.

-----X

DECLARATION OF RICHARD MACKENZIE-CHILDS

RICHARD MACKENZIE-CHILDS hereby declares the following:

1. I am an artist and designer and have created works of art, along with my wife Victoria MacKenzie-Childs, under our name “MacKenzie-Childs” since 1974.
2. My wife and I are well known as artists and we have a wide and well-known reputation for creativity and quality, especially in the fields of uniquely designed ceramics and items for the home.

3. In 1985, we incorporated Victoria and Richard MacKenzie-Childs, Ltd. for the purpose of selling our art work.
4. I, along with Victoria, designed every item sold by our former companies that bore our logos.
5. In order to create a ceramic piece, I would start with an idea of the shape I wanted to create and would roll out a slab of clay and work with it until I thought the shape was just right.
6. Once the clay shape was perfected, a plaster cast would be made of that shape. This cast became the master mold and would be marked with the date of creation and the word “prototype” or “master” or just signed with my name.
7. If Victoria and I decided that the piece was fit to be offered to the public by us, then the master mold would be cast in plaster to create the working molds from which the piece could be produced. The master mold would then be stored away and never touched, except to create further working molds in the event the working molds were damaged or destroyed. In the event we ever decided to permanently change a piece, we would create a new master mold, leaving the original alone and intact, and would sign and date the new mold so that the change would be noted and could be seen by comparing the master molds.
8. From the master mold I would also create a plaster model of the piece, which would be an exact copy of the piece I designed. These were known as the master models and, along with the master molds, were dated, signed, and put into our archives as a permanent record of the original piece.
9. This process of creating master molds and models was followed for every piece of ceramics we made, whether the piece was made by slip cast, hand mold, or ram press and all of these molds and models were kept.

10. I consider every piece we made and sold to be a work of art, but these master molds and models are the true real art as they are our original and one of kind works. These represent much of our lives work as artists.
11. I do not presently know what has become of these pieces because Plaintiffs did not present them or allow them to be inspected when demanded and believe that many of them have been altered or destroyed.
12. Additionally, we made many one of a kind works of art that were never sold by through our company through this same process. Since it was my studio and factory, the models and molds for these pieces were sometimes kept there and I believe that the present company has used these models and molds to mass produce new products. For instance, I had once created a single heart box as a Valentines Day gift for Victoria. The Heart Paperweight featured in the company's 2007 catalogue, Attached as Exhibit A, was made from my original mold.
13. Both Victoria and I object to Plaintiffs' attempts to confuse the public into associating my wife and I with their new product. At tradeshow, many people approach us to discuss Plaintiffs' new work and often complain about the new product they see on the market. We are caused to consistently explain that we are not associated with the company, and have not been for some time, and that we now sell our works on our own.
14. In many instances, Plaintiffs have designed new product and inserted it into our well-known original collections without any indication that we are not the designers of such products. This misleads people into thinking that we must have created the new pieces because we designed the rest.
15. Attached as Exhibit B, Plaintiffs have designed what they call a Teapot Trivet and have added it to our original Taylor collection, which is was one of our most well-

16. Attached as Exhibit C is The MacLachlan Collection, which was in fact named in honor of a close family friend who has passed away. In the pages attached, the only item that remains as Victoria and I designed it is the Serving Box labeled D.
17. Attached as Exhibit D, is the Chicken Casserole and the Chicken Pitcher. I originally made the Chicken Casserole as a Christmas gift for Victoria and hid an antique ring I had bought for her in some sweet rolls I had baked in the dish. People found the piece and the story very popular and touching and we later decided to offer it for sale and it was a hit amongst our collectors. I did not design the Chicken Pitcher, though its resemblance to my casserole design has led people to believe I did.
18. There are many other instances of this behavior and collectors and followers of our work over the years are continually heartbroken to learn that these items, though presented to the public as part of our original works, are not in fact our designs.
19. Plaintiffs also do not distinguish between their new product lines and the ones which we designed, leading people to believe that we are connected with these items.
20. A few examples of this failure to distinguish between new and old are what Plaintiffs call Chelsea Luster, attached as Exhibit E, Pansy, attached as Exhibit F, Sunnyside Up, attached as Exhibit G, and Butterfly, attached as Exhibit H. These designs are atrocious and we are distraught that they are being sold under our name and that people associate them with our work.



21. There are many other instances of this behavior and it is confusing to people because they assume that since it is an item is in the “MacKenzie-Childs” catalog is must be designed by Victoria and I, which is not true.
22. Plaintiffs also confuse and mislead people into believing we are still associated with them through their descriptions of their company and their new items.
23. Attached as Exhibit I is a description of the Wallcourt collection, which we originally designed. The repeated use of “our” to refer to mine and Victoria’s past leads people to believe it is us who are making this statement.
24. Attached as Exhibit J is description of twenty-five years of MacKenzie-Childs. Reading it, one would never expect that Victoria and I have long since stopped designing for the company or that the company no longer follows our strict commitment to quality and aesthetics.
25. Attached as Exhibit K is a another description of the company. Not only does this description sound as if it is coming from Victoria and I, but it claims that the design process used has not changed though it clearly has and we are no longer involved in design.
26. There are many other instances of this behavior and it causes confusion because Plaintiffs are not informing the public that we, the people whose name the company uses and the original designers, no longer have anything to do with the company.
27. Plaintiffs have also been deceptive in their catalogues as there are many instances where pictures of our product, taken before the Asset Sale, have been reused to advertise and sell Plaintiffs’ current versions of those items, even though the items are not made in the same way as when they were made by us.
28. As an example, attached as Exhibit L, are images of the Butter House I designed from our 1999 Catalog, Plaintiffs’ 2004 Catalog, and from Plaintiffs’ 2008

Catalog. The image used is exactly the same as the one used in 1999. Not only do I believe that Plaintiffs have changed the way all of their ceramics are made, but I have seen the Plaintiffs' version of this piece and it has been redesigned.

29. Another example, attached as Exhibit M, are images of William, a vase in the Circus Vase Collection I designed, from our 1999 Catalogue and Plaintiffs' 2008 Catalogue. The image used is exactly the same as the one used in 1999. I have seen Plaintiffs' version of this piece and it has been redesigned.
30. Another example, attached as Exhibit N, are images of the Taylor Flat Rim Dinner Plate from our 1999 Catalog, Plaintiffs' 2004 Catalog, and Plaintiffs' 2008 Catalog. The image used is exactly the same as the one used in 1999, but, as I believe, Plaintiffs have changed the way this piece is made.
31. Another example, attached as Exhibit O, are images of the Entertainment Armoire from our 1999 Catalog and Plaintiffs' 2008 Catalog. The image used is exactly the same as the one used in 1999. Plaintiffs have also to my knowledge changed the way this piece is made.
32. There are many other instances of this behavior and I believe it to be deceptive as Plaintiffs are advertising our designs as being the products currently sold when they are not.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on April 2, 2009

By: /s/ Richard MacKenzie-Childs  
Richard MacKenzie-Childs

## **Exhibit A**

MACKENZIE-CHILDS



From Garden to Table  
2007



On page:

#### C Hauserpfeffer Lamp

This light-hearted lamp sports a white ceramic bunny, topped with beaded shade, and tiny pitcher finial. Fabulous. 13" dia. shade, 27.5" tall 13060-690 \$695

Thistleware Bowl sold on page 42.

#### D New! Rose Stripe Setting Seat

Upholstered in rose striped velvet, with tassel fringe, and hand-painted ceramic feet. A fine companion to the Harlequin Wing Chair below.

31" dia., 20" tall 225-1035 \$1,395  
(+\$35 packing)



This page:

#### A New! The Diva

Voluptuous and proud of it, this extraordinary piece commands center stage. Dressed in custom-embroidered crewel, trimmed with black and white checked braid, and finished with striped tassels. Brava! 46" wide, 33" deep, 42" tall 247-6300 \$3,500 (+\$65 packing)

#### B Harlequin Wing Chair

Upholstered in whimsical Italian tapestry and pink striped velvet, it has ceramic knobs and silk tassels on the arms and hand-painted feet. 35" wide, 40" deep, 43" tall 247-6100 \$2,900 (+\$65 packing)

#### C Torquay Lamp

The shade with beaded trim and a hand-painted ceramic base combine to



## Our products can be found at these fine stores.

### ALABAMA

Christine's  
2822 Petticoat Lane  
Mountain Brook  
Birmingham, AL 35223  
205-871-8297

### ARIZONA

Cornelia Park  
Biltmore Fashion Park  
2474 E. Camelback Road  
Phoenix, AZ 85016  
602-955-3195  
corneliapark.com

### DELAWARE

Winding Beam Collection  
206 Second St.  
Rehoboth Beach, DE 19971  
302-227-9246  
windingbeam.com

### FLORIDA

Hamilton Jewelers  
Palm Beach Gardens Mall  
3101 P.G.A. Blvd. #N205  
Palm Beach Gardens, FL 33410  
561-775-3600  
hamiltonjewelers.com

### FLORIDA continued

Harvey's on First  
102 N.E. 1st Ave.  
Delray Beach, FL 33444  
561-278-6166  
harveysonfirst.com

Owen Allen  
430 N. Orlando Ave.  
Suite 100  
Winter Park, FL 32789  
407-740-8838  
owenallen.com

Zazou  
2950 9th St. N.  
Naples, FL 34103  
239-261-2882  
zazounaples.com

### ILLINOIS

Findables  
1643 N. Milwaukee Ave.  
Chicago, IL 60647  
773-235-9740  
findables.com

The Perfect Setting  
407 S. Third St.  
Geneva, IL 60134  
630-232-1040  
perfectsettingonline.com

### ILLINOIS continued

The Thistle Shop  
208 W. Park Ave.  
Libertyville, IL 60048  
847-362-7828  
thethistleshop.com

### MARYLAND

Urban Country  
7801 Woodmont Ave.  
Bethesda, MD 20814  
301-654-0500  
urbancountrydesigns.com

### MASSACHUSETTS

Cachet  
16 Church St.  
Wellesley, MA 02482  
781-237-5516

### The Lili Pad

Mashpee Commons  
30 North St.  
Mashpee, MA 02649  
508-477-2368  
t102540@aol.com

#### Rabbit Platter

Adorable for asparagus. Delightful for deviled eggs. Cute for carrot cupcakes. 9.5" x 13.5" 11055-750 \$85

#### Heart Paperweights

To keep on top of those love letters! Handmade and decorated majolica. Boxed for gift giving. 5" wide Aalsmeer 13760-001 \$45 Pink Honeymoon 13760-337 \$55

Find all these products at most Neiman Marcus stores. See more stores on reverse.

## Exhibit B



# MACKENZIE-CHILDS



Wallcourt  
Tableware  
Pages 33-35

From Garden to Table  
2006



## Bowlderole

Bulb bowl. Salad bowl. Casserole.

One of the most versatile pieces we've ever created.  
With lid: 13" dia., 8" tall. 4 qt. Includes plastic insert for planting.

A Wallcourt 12462-090 \$225

B Taylor 12462-013 \$225

A perfect  
wedding gift!

This catalogue includes items made by MacKenzie-Childs Ltd. and others. This catalogue, items shown in it, and the Courtly Clerk pattern and name are protected by U.S. and foreign copyrights and trademarks of MacKenzie-Childs Ltd. and others. © 2006 MacKenzie-Childs Ltd.

**MACKENZIE-CHILDS**

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1-888-665-1999

Aurora, NY 13026

mackenzie-childs.com

Keycode: Open063

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U.S. POSTAGE  
PAID  
MacKenzie-Childs



## Aalsmeer



Flat Rim Dinner Plate 11" 11010-001 \$52

Fluted Rim Dinner Plate 11" 11011-001 \$52

Lunch Plate 9" 11021-001 \$46

Breakfast Bowl 8.5" 11131-001 \$46  
Berry Bowl 6" 11141-001 \$38  
Mug 12 oz. 11162-001 \$60

## Bearded Iris



Flat Rim Dinner Plate 11" 11010-013 \$52

Fluted Rim Dinner Plate 11" 11011-013 \$52

Lunch Plate 9" 11021-013 \$46

Breakfast Bowl 8.5" 11131-013 \$46  
Berry Bowl 6" 11141-013 \$38  
Mug 12 oz. 11162-013 \$60

## Keukenhof



Flat Rim Dinner Plate 11" 11010-007 \$52

Fluted Rim Dinner Plate 11" 11011-007 \$52

Lunch Plate 9" 11021-007 \$46

Breakfast Bowl 8.5" 11131-007 \$46  
Berry Bowl 6" 11141-007 \$38  
Mug 12 oz. 11162-007 \$60

## Myrtle

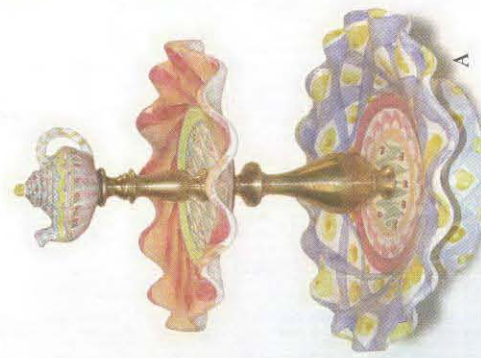


Flat Rim Dinner Plate 11" 11010-029 \$52

Fluted Rim Dinner Plate 11" 11011-029 \$52

Lunch Plate 9" 11021-0029 \$46

Breakfast Bowl 8.5" 11131-029 \$46  
Berry Bowl 6" 11141-029 \$38  
Mug 12 oz. 11162-029 \$60



## Taylor

Taylor was the original MacKenzie-Childs dinnerware collection. Designed to be mixed at random like a happy ceramic bouquet, the collection contains many charming patterns, each prettier than the next. Here we feature four of them. Classic and timeless, bringing springtime to tabletops for more than two decades.

Above:

A Taylor Sweet Stand  
A tiered triumph just right for tea for two. Coordinates with all Taylor patterns. 11.5" tall  
111605-000 \$225



Sugar Bowl 8 oz. 11542-001 \$82  
Creamer 11 oz. 11530-001 \$72

Teapot 8.5" tall, 8 cup 11512-001 \$145

Cake Stand 12" dia. 6" tall 11482-001 \$150

Sugar Bowl 8 oz. 11542-013 \$82  
Creamer 11 oz. 11530-013 \$72

Teapot 8.5" tall, 8 cup 11512-013 \$145

Cake Stand 12" dia. 6" tall 11482-013 \$150

Sugar Bowl 8 oz. 11542-007 \$82  
Creamer 11 oz. 11530-007 \$72

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Creamer 11 oz. 11530-029 \$72

Teapot 8.5" tall, 8 cup 11512-029 \$145

Cake Stand 12" dia. 6" tall 11482-029 \$150

**Salt & Pepper Eggs**  
Brighten your breakfast tray, enchant your luncheon guests, add a dash of delight at dinner. Hand-painted. 3.5" tall  
B Myrtle 11468-029 \$50  
C Bearded Iris 11468-013 \$50



## Aalsmeer



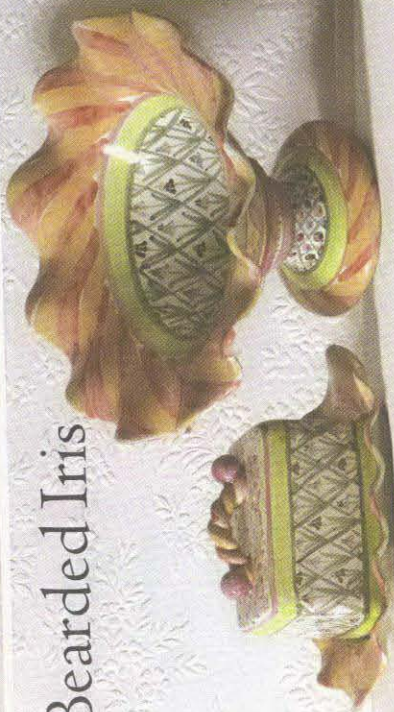
Butterhouse 5" tall  
11476-001 \$115

Compote 12.5" dia., 6.5" tall  
26 oz. 11491-001 \$135

Medium Platter 16" x 11"  
12821-001 \$95

Large Platter 22" x 16"  
12811-001 \$165

## Bearded Iris



Butterhouse 5" tall  
11476-013 \$115

Compote 12.5" dia., 6.5" tall  
26 oz. 11491-013 \$135

Medium Platter 16" x 11"  
12821-013 \$95

Large Platter 22" x 16"  
12811-013 \$165

## Keukenhof



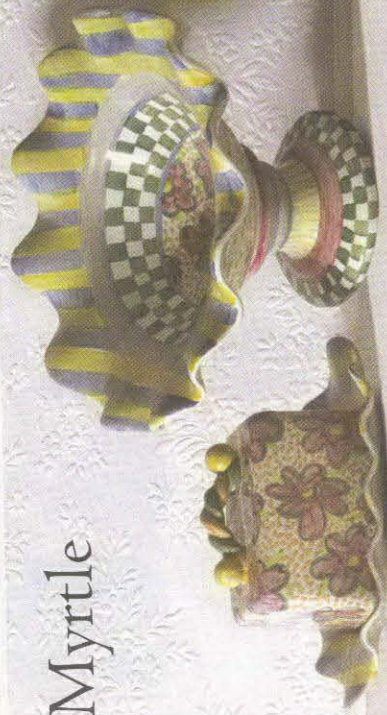
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12821-007 \$95

Large Platter 22" x 16"  
12811-007 \$165

## Myrtle

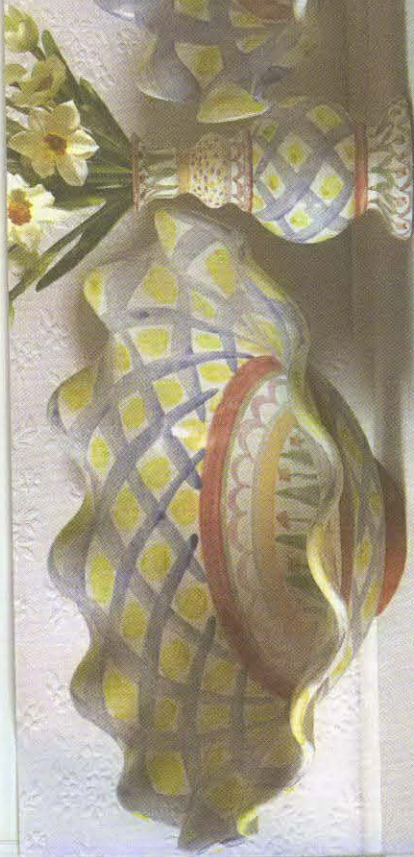


Butterhouse 5" tall  
11476-029 \$115

Compote 12.5" dia., 6.5" tall  
26 oz. 11491-029 \$135

Medium Platter 16" x 11"  
12821-029 \$95

Large Platter 22" x 16"  
12811-029 \$165



Large Serving Bowl 17.5" dia.  
4 qt. 12771-001 \$195

Bud Vase 7" tall  
11340-001 \$65

Medium Serving Bowl 14.5" dia.  
2 qt. 12761-001 \$155

Teapot Trivet  
9" tall 36041-001 \$70

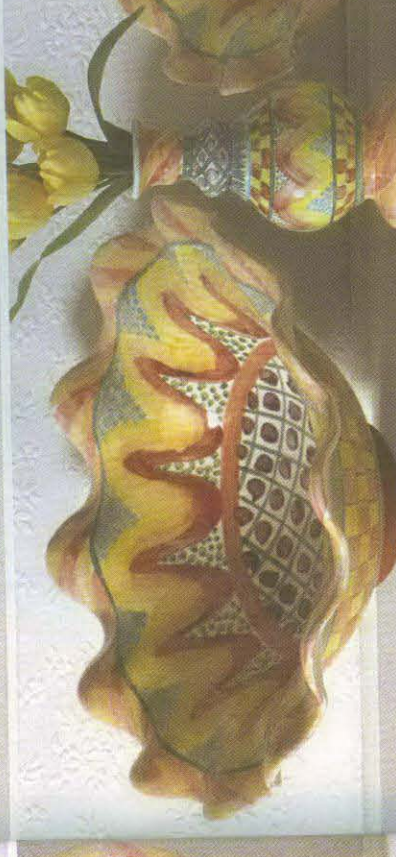


Large Serving Bowl 17.5" dia.  
4 qt. 12771-013 \$195

Bud Vase 7" tall  
11340-013 \$65

Medium Serving Bowl 14.5" dia.  
2 qt. 12761-013 \$155

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Teapot Trivet  
9" tall 36041-029 \$70



## Exhibit C



# MACKENZIE-CHILDS



Wallcourt  
Tableware  
Pages 33-35

From Garden to Table  
2006



## Bowlderole

Bulb bowl. Salad bowl. Casserole.

One of the most versatile pieces we've ever created.  
With lid: 13" dia., 8" tall. 4 qt. Includes plastic insert for planting.

A Wallcourt 12462-090 \$225

B Taylor 12462-013 \$225

A perfect  
wedding gift!

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**MACKENZIE-CHILDS**

3260 State Rte. 90  
Aurora, NY 13026



mackenzie-childs.com

**Keycode: Open063**

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*MacLachlan Dinner Plate*

- A Dinner Plate 12" 41112-401 \$110
- B Soup Plate 8.5" 41192-401 \$100
- C Salad Plate 9" 41123-401 \$100
- D Serving Box 5.5" x 4" x 4" tall, 8 oz. 41132-401 \$125
- E Mug 4.5" tall, 8 oz. 41162-401 \$80
- F Signature Platter 16.5" x 12" 41172-401 \$225
- G Teapot 9" tall, 40 oz. 41202-401 \$300
- H Creamer 5" tall, 8 oz. 41222-401 \$135
- I Sugar Bowl 5.5" tall, 8 oz. 41212-401 \$170
- J Salt & Pepper Shakers 1.5" dia., 2.5" tall, 2 oz. 11467-722 \$55
- K French Crystal Water Goblets 7" tall, 8 oz. Amethyst Stem 40695 \$68 Amber Stem 40693 \$68
- L French Crystal Wine Glasses 6" tall, 5 oz. Amethyst Stem 40691 \$60 Amber Stem 40694 \$60
- M Thistle Linen Napkin Embroidered, 22" sq. Willow Green 40634 \$34 White 40633 \$34 Not shown



*Amber Stem*

*Amethyst Stem*

## The MacLachlan Collection

Named to honor the Scottish heritage of our company's founders, the MacLachlan pattern captures our own rich legacy here in the highlands of America's Finger Lakes. Banded in gold and marbledized on the back, each piece celebrates the extraordinary scenic beauty that surrounds us here in Aurora.





## Exhibit D

# Piccadilly



Chicken Pitcher  
9" wide, 6" tall, 3 cups  
12561-100



Chicken Casserole  
15" long, 8" wide,  
6.5" tall (to top of knob), 4 cups  
11442-100

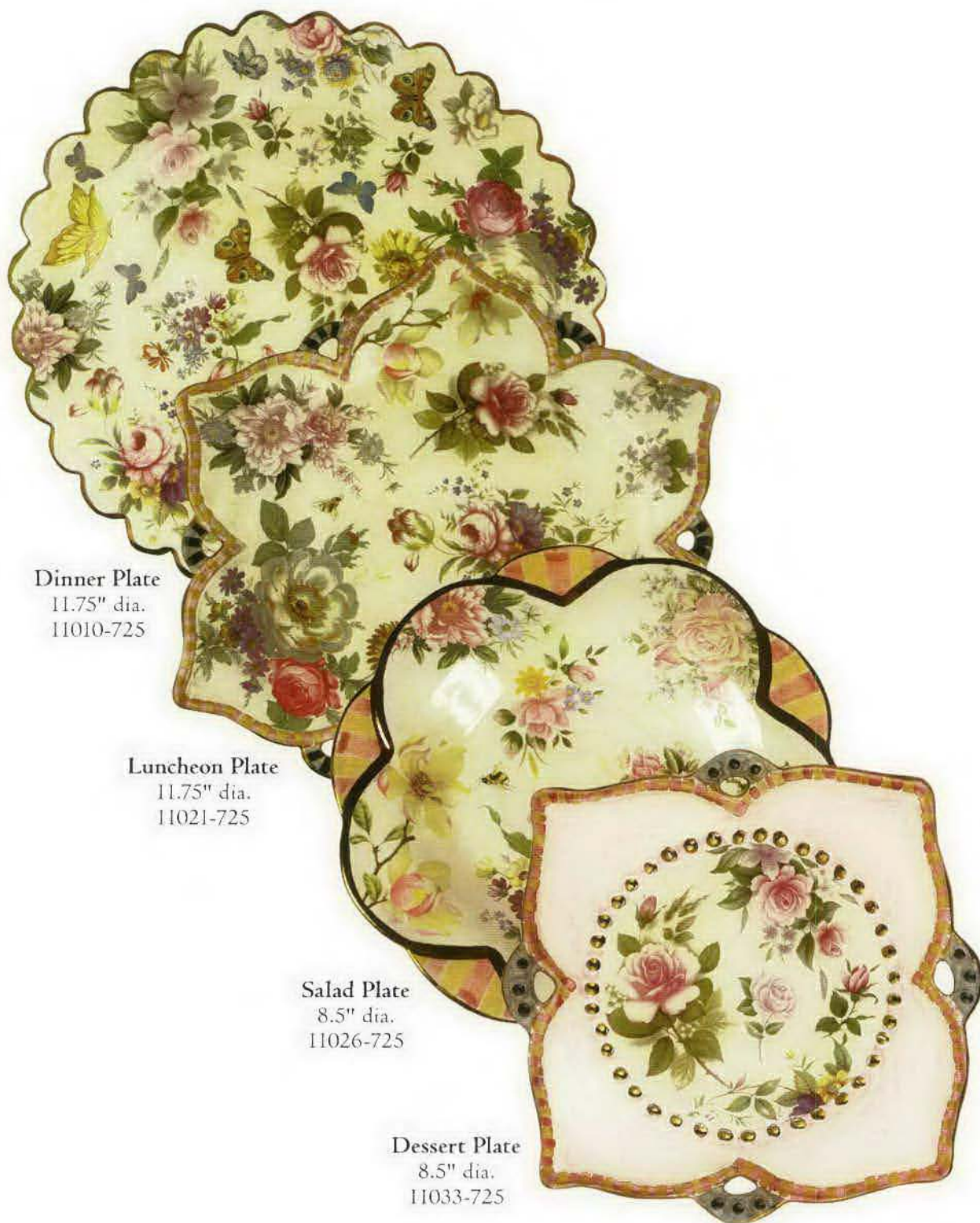
Handmade and decorated majolica. Ovensafe.

**MACKENZIE-CHILDS**



## Exhibit E

# Chelsea Luster



Handmade and decorated majolica with copper lustre and ceramic floral transfers.

**MACKENZIE-CHILDS**





## Chelsea Luster



### Tureen

15" wide (handle to handle)  
10" dia., 12" tall, 4.5 qt.  
11560-725

### Soup Bowl

6.25" dia., 3.25" tall, 12 oz.  
11095-725

Handmade and decorated majolica with copper lustre and ceramic floral transfers.

**MACKENZIE-CHILDS**



# Chelsea Luster



**Demitasse Coffee Pot**  
10" dia. (spout to handle),  
11" tall (to top of bird), 6 cups  
11752-725

**Demitasse Saucer**  
5.5" dia.  
11195-725

**Demitasse Cup**  
3.75" wide (with handle),  
2.5" dia., 2.5" tall, 3 oz.  
11185-725

Handmade and decorated majolica with copper lustre and ceramic floral transfers.

**MACKENZIE-CHILDS**





# Chelsea Luster



**Teapot**  
10.5" wide (spout to handle),  
8" tall, 4.5 cups  
11512-725

**Creamer**  
3.5" dia. (at rim),  
4.5" tall, 12 oz.  
11530-725

**Sugar Bowl**  
3.5" dia. (at rim),  
5.5" tall, 12 oz.  
11542-725

**Teacup**  
3" dia., 3.75" tall, 6 oz.  
11180-725

**Saucer**  
6.5" dia.  
11191-725

Handmade and decorated majolica with copper lustre and ceramic floral transfers.

**MACKENZIE-CHILDS**



## Chelsea Luster



Serving Bowl  
10.5" dia., 4" tall, 8 cups  
12710-725



Platter  
18.25" dia.  
12860-725

Handmade and decorated majolica with copper lustre and ceramic floral transfers.

**MACKENZIE-CHILDS**



## Exhibit F



# Pansy



Dinner Plate  
11" dia.  
11014-171

Salad Plate  
8" dia.  
11025-171

Mug  
3.25" dia., 4" tall, 10 oz.  
11166-171

Rimmed Dish  
10" dia., 2 cups  
11123-171

Serving Bowl  
15.625" dia., 5.5" tall, 10 cups  
12775-171

Scallop-edged, handmade, hand-painted majolica with ceramic floral transfers.

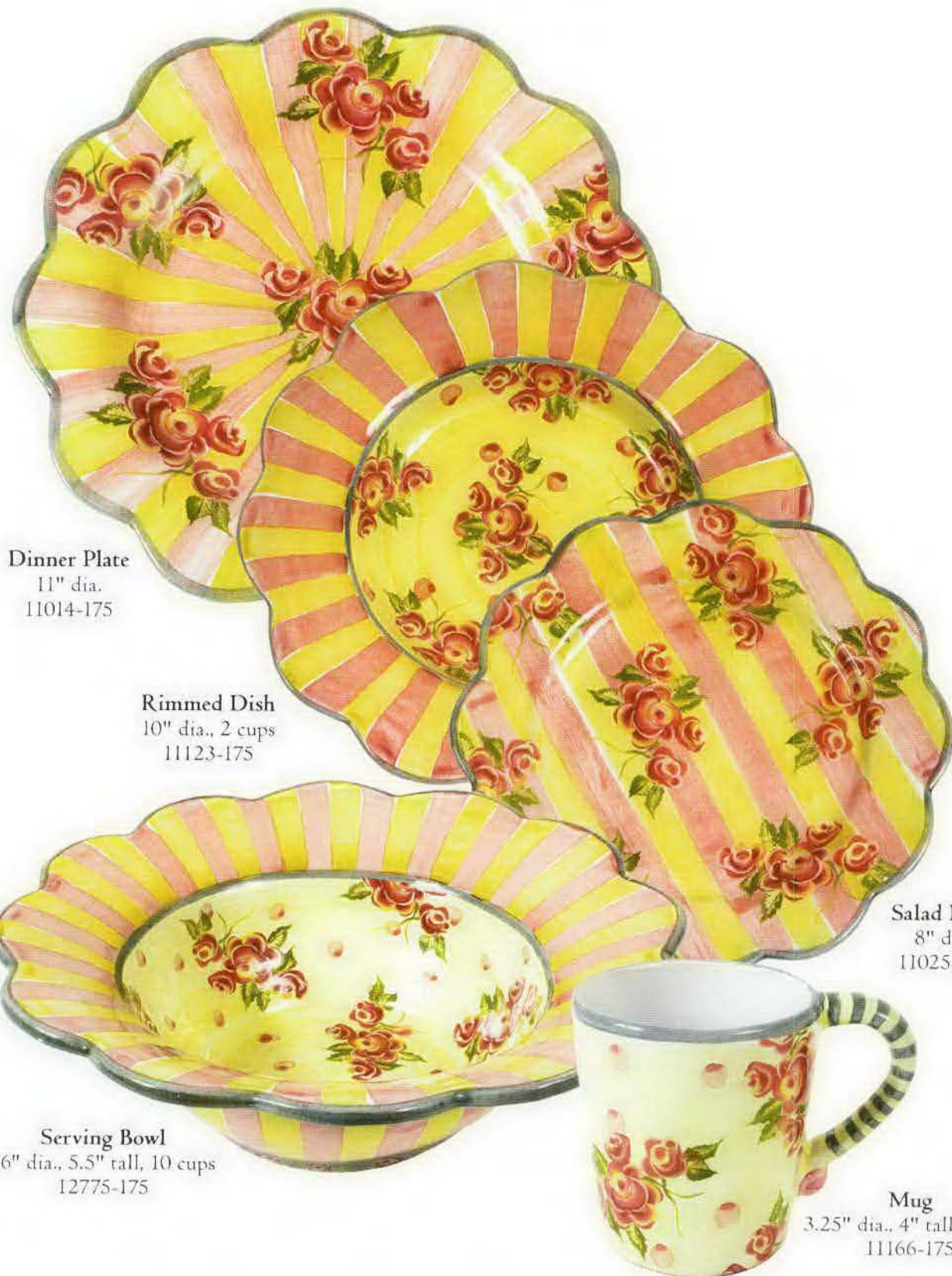
**MACKENZIE-CHILDS**



## Exhibit G



# Sunnyside Up



Dinner Plate  
11" dia.  
11014-175

Rimmed Dish  
10" dia., 2 cups  
11123-175

Serving Bowl  
16" dia., 5.5" tall, 10 cups  
12775-175

Salad Plate  
8" dia.  
11025-175

Mug  
3.25" dia., 4" tall, 10 oz.  
11166-175

Scalloped-edged, handmade majolica with hand-painted stripes and ceramic floral transfers.

**MACKENZIE-CHILDS**





## Exhibit H

# Butterfly



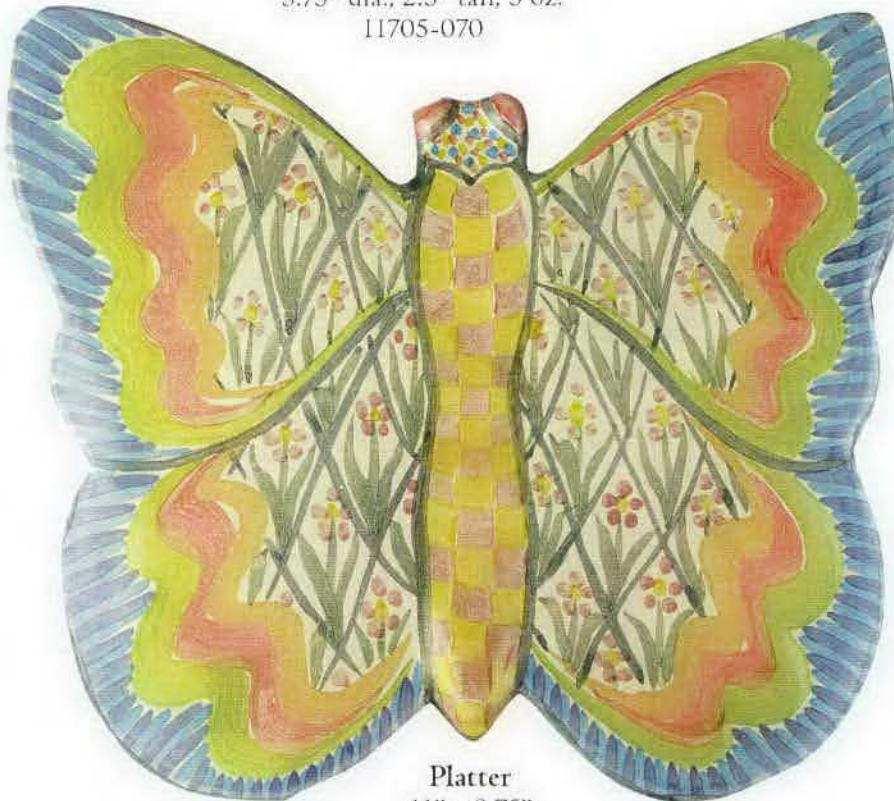
**Rice Bowl**  
5.5" dia., 3.75" tall, 15 oz.  
11144-070



**Tea Bowl**  
3.75" dia., 2.5" tall, 5 oz.  
11705-070



**Soy Dish**  
4.5" wide, 1.5" tall, 2 oz.  
11145-070



**Platter**  
11" x 8.75"  
11010-070



**Aalsmeer Cheese Knife**  
8.25" long  
Stainless steel blade.  
11920-001

Handmade, hand-painted majolica. Pieces will vary due to the handmade nature of each product.

**MACKENZIE-CHILDS**



## Exhibit I



# MACKENZIE-CHILDS



Wallcourt  
Tableware  
Pages 33-35

From Garden to Table  
2006



## Bowl derole

Bulb bowl. Salad bowl. Casserole.

One of the most versatile pieces we've ever created.  
With lid: 13" dia., 8" tall. 4 qt. Includes plastic insert for planting.

A Wallcourt 12462-090 \$225

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A perfect  
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**MACKENZIE-CHILDS**

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Aurora, NY 13026

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**Keycode: Open063**

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PAID  
MacKenzie-Childs



## Our new gift registry; your own wish list!

Help your friends and family pick out gifts you really want. List your favorite items or tableware pattern on our new Gift Registry! You can set up your own wish list by calling Customer Service at 1-888-665-1999 or visit our website at [mackenzie-childs.com](http://mackenzie-childs.com). Tell your friends you've registered at MacKenzie-Childs and they can order gifts for you by phone, on line, or in our stores.

For weddings, birthdays, and special occasions, gift registry cards are available to enclose with your invitations.

## Shop by phone: 1-888-665-1999

### Your Satisfaction Guaranteed

If you are not completely satisfied with your purchase, please return the item for an exchange or refund (with receipt). The cost of shipping, however, cannot be refunded.

### Price Guarantee

Every price in this catalogue is guaranteed through December 31, 2006.

### Catalogue Mailing Preferences

Your order ensures that you will stay on our mailing list. To remove your name, e-mail [postalmove@mackenzie-childs.com](mailto:postalmove@mackenzie-childs.com), or call our toll-free Customer Service line at 1-888-665-1999.

### Returns & Exchanges

To return or exchange an item, follow the instructions on the packing slip enclosed in your order, or call Customer Service at 1-888-665-1999. Unless an item is received damaged, return shipping charges are the responsibility of the customer. MacKenzie-Childs will only issue call tags for items that are damaged in shipping. Shipping charges for an item may be reimbursed once the item has been received back for inspection by MacKenzie-Childs and been deemed to be defective.

## Shop online: [mackenzie-childs.com](http://mackenzie-childs.com)

### Internet Shopping

Want to see more? Visit us online at [www.mackenzie-childs.com](http://www.mackenzie-childs.com) to see items in this catalogue and much more. Browse our online store and order with just a click. Be sure to visit our online Auction and Collectors Corner links for ever-changing product offerings.

### Order Status Inquiries

Whether you placed your order by phone or on the Internet, you can check the status of your order in one of three ways: 1. From our website, [mackenzie-childs.com](http://mackenzie-childs.com), click on the "Customer Service" link to send an e-mail. 2. Call Customer Service at 1-888-665-1999. 3. E-mail Customer Service directly at [customerservice@mackenzie-childs.com](mailto:customerservice@mackenzie-childs.com).

It's that simple. Find out when your order was shipped or, if it hasn't shipped yet, what the expected shipping date will be.

## Shop in our stores.

**New York City**, 14 West 57th Street

*Monday - Wednesday 10 am - 6 pm, Thursday - Saturday 10 am - 7 pm*

*Sunday 12 pm - 5 pm; 212-570-6050*

**Aurora, New York**, 3260 State Route 90

*Monday - Sunday 9:30 am - 6 pm; 315-364-6118*

**Atlanta, Georgia**, Phipps Plaza, 3500 Peachtree Road

*Monday - Saturday 10 am - 9 pm*

*Sunday 12 pm - 5:30 pm; 404-261-4020*

**Palm Beach, Florida**, 330 Worth Avenue

*Monday - Saturday 10 am - 6 pm; 561-832-9877*

## Shipping & Processing

Orders for in-stock items will ship within three business days from the day your order is placed, and will be sent via UPS or FedEx. Expect arrival within 7-10 business days after we ship. Street address is required. Orders outside the contiguous 48 states will incur special shipping charges. Please call 1-888-665-1999, or e-mail [customerservice@mackenzie-childs.com](mailto:customerservice@mackenzie-childs.com) for a quote. Customers who place orders for products that cannot be shipped within three business days will be notified by e-mail, or by phone if no e-mail is provided.

Shipping and processing charges are based on the dollar volume of your order, shipping to each address. Please see "Delivery charges" on the order form.

### Overnight Delivery

Overnight delivery guarantees that in-stock orders will arrive by the end of the next business day if ordered before noon Eastern Time. Add \$25.95 per order to the standard charges above. Not available for large items that ship via freight.

### 2-Day Express

This service will ensure that in-stock orders will arrive in 2 business days if ordered before noon Eastern Time. Add \$15.95 per order to the standard charges above. Not available for freight items.

### Freight Delivery & Packing Surcharge

Basic freight delivery is a dependable and economical way to deliver large items to your ground-level door. Our preparation of furniture and other heavy items for shipment does require additional time and care, so there is a packing surcharge per piece. This amount is listed in parenthesis (+\$) after the item price, and is in addition to regular delivery charges.

### In-Home Delivery (White Glove Service)

We offer a white glove delivery service if you would like to have furniture and other large items brought into your home, unpacked, assembled if required, placed at your discretion, and packing materials removed. There is an additional charge for this service and it varies by item and your location. Please contact our Customer Service representatives at 1-888-665-1999 to obtain a quote.

### Sales Tax

Please include all applicable sales tax for deliveries to New York, Florida, and Georgia. Sales tax applies to subtotal plus shipping and handling fees. Sales tax varies by locality. Please contact Customer Service to determine the local sales tax.

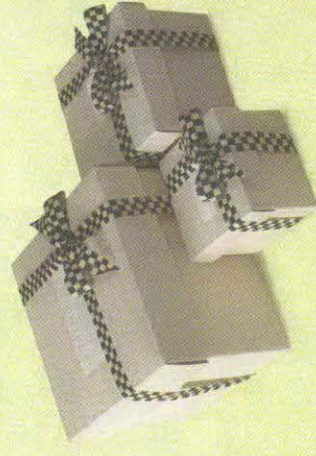
## Gift Services

### Gift Card

We will print your message on a Courty Check gift card enclosed with your gift. Print your message in the space provided on the order form.

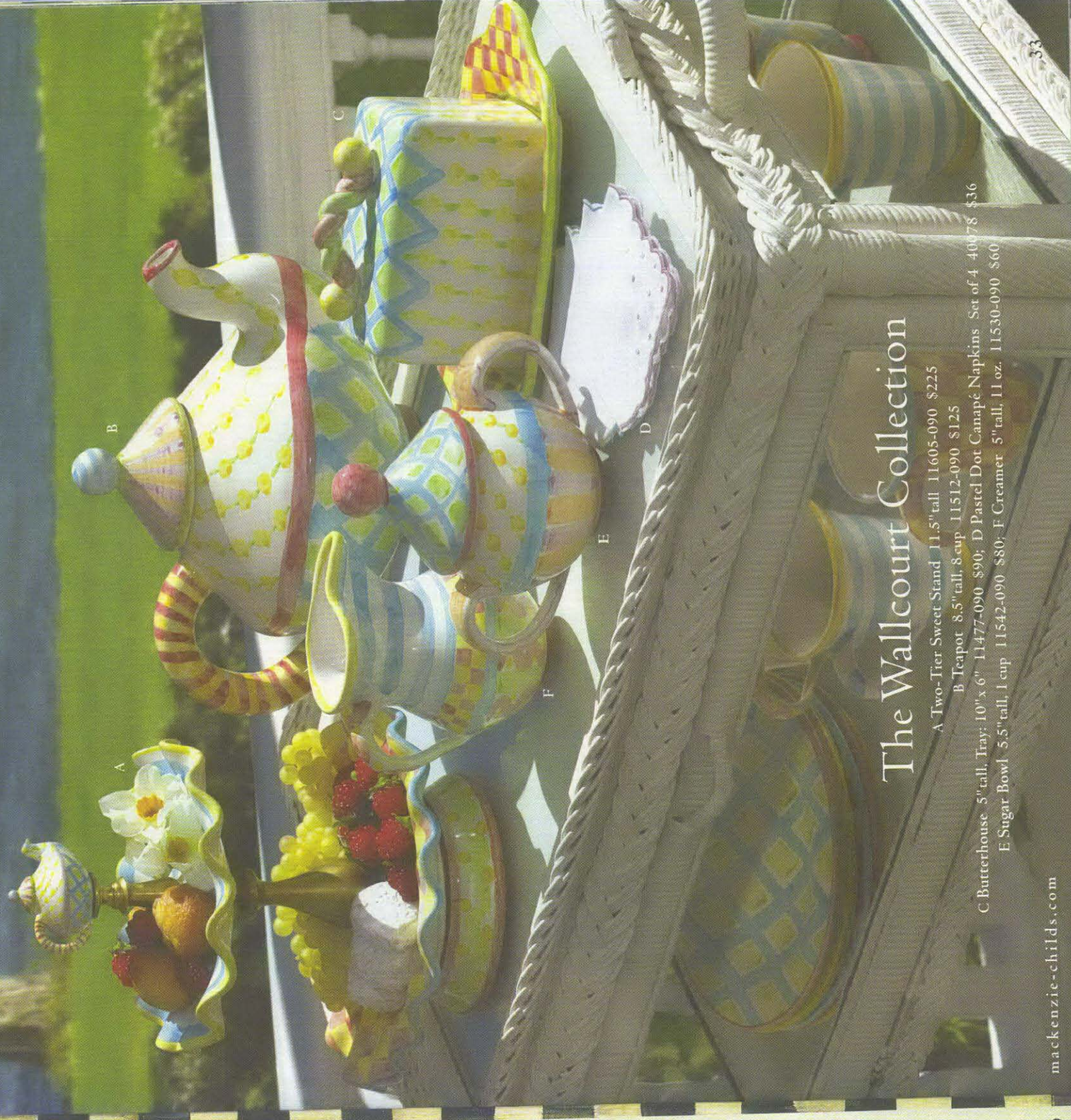
### Gift Packaging

We will be happy to provide gift packaging for a charge of \$5 per item. Gift packaging includes our elegant ribbed box tied with Courty Check ribbon, and Courty Check tissue paper inside. Check "Gift box" on the order form, next to each gift item, so we will know to package it accordingly. Gift packaging is not available on oversized items.



# Ceramics for the Table

A tray full of cheer! The Wallcourt pattern is named after a distinguished historic building here in our tiny village of Aurora. For a short time it housed our studio. Some nostalgic souls remember when messages were conveyed from the first to the third floor by means of a pulley! Twenty-three years after its introduction, this popular and happy pattern is still painted by our talented artisans, whose initials are proudly stamped on the bottom of every piece.



## The Wallcourt Collection

A Two-Tier Sweet Stand 11.5" tall 11605-090 \$225

B Teapot 8.5" tall, 8 cup 11512-090 \$125

C Butterhouse 5" tall, Tray: 10" x 6" 11477-090 \$90; D Pastel Dot Canapé Napkins Set of 4 40378 \$36

E Sugar Bowl 5.5" tall, 1 cup 11542-090 \$80; F Creamer 5" tall, 11 oz. 11530-090 \$60

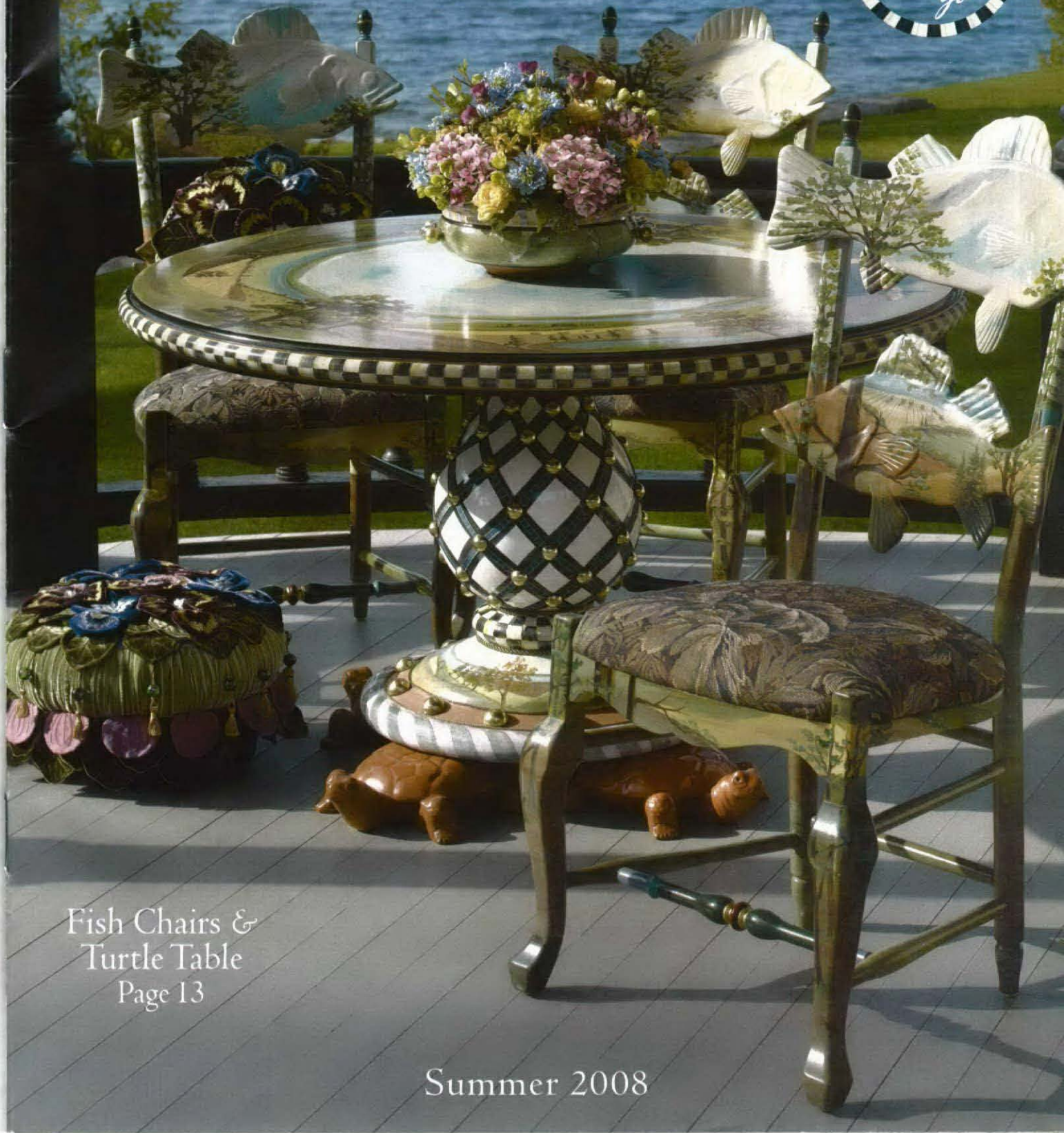
[mackenzie-childs.com](http://mackenzie-childs.com)

1-888-665-1999



## Exhibit J

# MACKENZIE-CHILDS



Fish Chairs &  
Turtle Table  
Page 13

Summer 2008



For twenty-five years, MacKenzie-Childs has held fast to a single, unwavering goal: distinctive and enduring design. Since 1983, in the tiny Finger Lakes village of Aurora, New York, we have been designing happy accent pieces for home and garden. Treasures that are meant to be used and cherished, loved and enjoyed, and then passed on to the next generation.

Our design team begins with the raw elements of clay, wood, enamel, and fabric, and transforms them with pattern, color, humor, and whimsy into pieces that are inimitably MacKenzie-Childs.

As we celebrate our 25th year, we extend our heartfelt thanks to all of you who have made it possible for us to do what we love most ~ dream, design, and develop work that will endure.

## MACKENZIE-CHILDS



**A Hollyhock Birdhouse**  
Luxury living with distinctive architecture, flight decks, and treetop views. Hand-painted wood and metal house. Ribbon, robin, and chain not included. Take this house indoors for winter. Imported. 16.5" dia., 16.5" tall 280-0900 \$150



**Bowl/deroles**  
Bulb bowl. Salad bowl. Casserole. One of the most versatile pieces we've ever created. With lid. Oven safe. Includes plastic insert for forcing bulbs. 12.5" dia., 8" tall, 4 qt.  
**B Bearded Iris** 12462-013 \$225  
**C Wallcourt** 12462-090 \$225

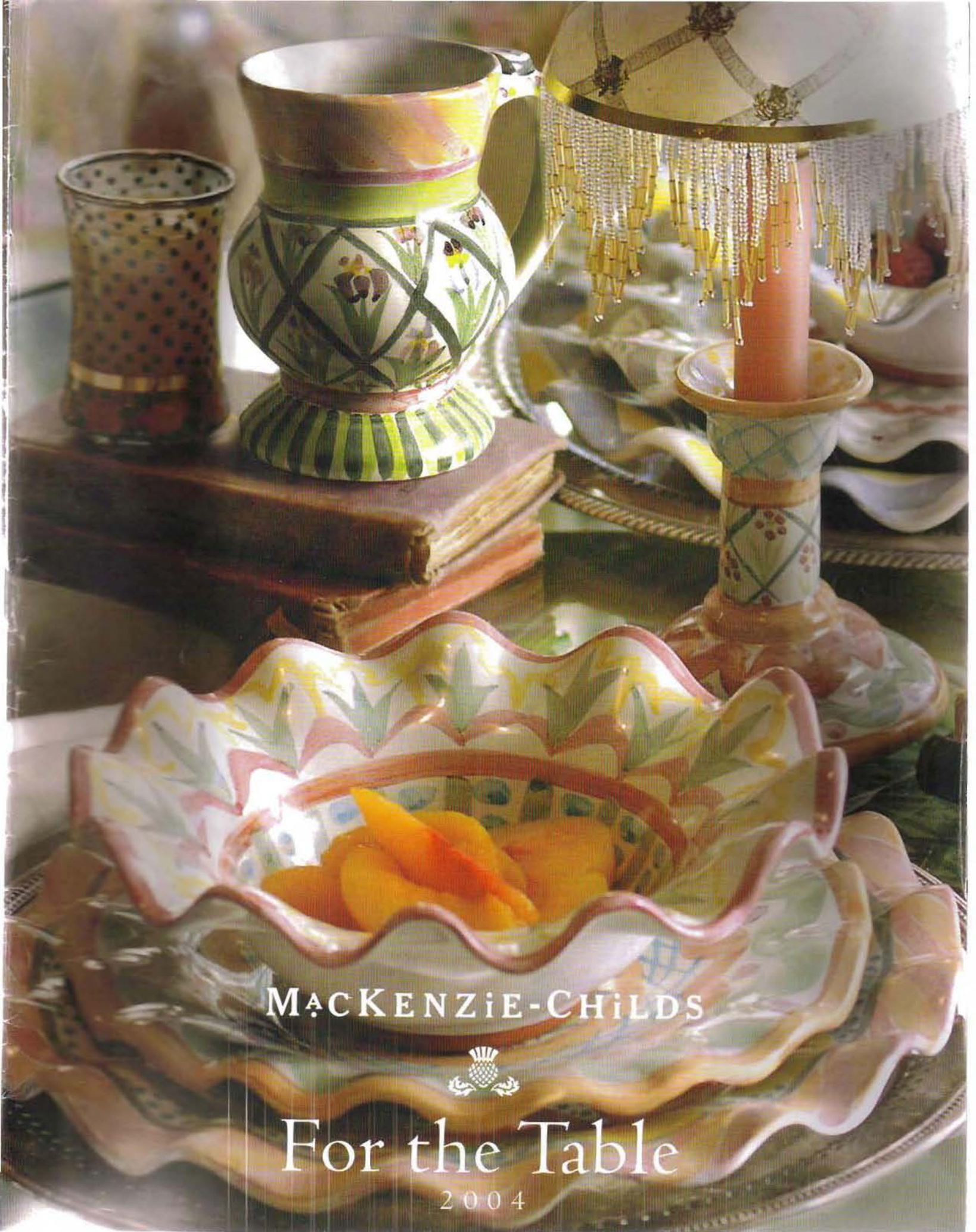
**Salad Server Sets**  
Silver plate, ceramic handles. Imported. 12" long  
**D Bearded Iris** 11940-013 \$135  
**E Wallcourt** 11940-090 \$135



*We invite you to visit us online at [mackenzie-childs.com](http://mackenzie-childs.com) to see our complete collections.*



## Exhibit K



MACKENZIE-CHILDS



For the Table

2004



*Pure Joy!* Why does a bride deliberate over dinnerware patterns as if her very marriage depended upon it? Why does a grandmother set aside a teapot for her namesake? Why does a hostess move the napkin rings a fraction of an inch, moments before her guests arrive?

The answer is simple. Because they care. They know, as we all do, that the "stuff" of this world only matters when it is used to enrich our lives, to create memorable moments of connection with those we love. A simple family dinner, a beautiful wedding gift, a happy celebration with friends. We treasure the things that remind us of all we hold dear. That is why we cherish what has been handed down to us and take such care with what we will pass on.



The "stuff" of MacKenzie-Childs is made with as much care as the new bride, the proud grandmother, and the gracious hostess invest in the creation of their memorable moments. In a process that is centuries old, we mold, decorate, glaze, and fire clay from the earth to create majolica ceramic ware. Each piece is made by hand and given whatever time or trouble is needed to ensure its quality and beauty—a rare claim in this age of mass production and easy expendability.

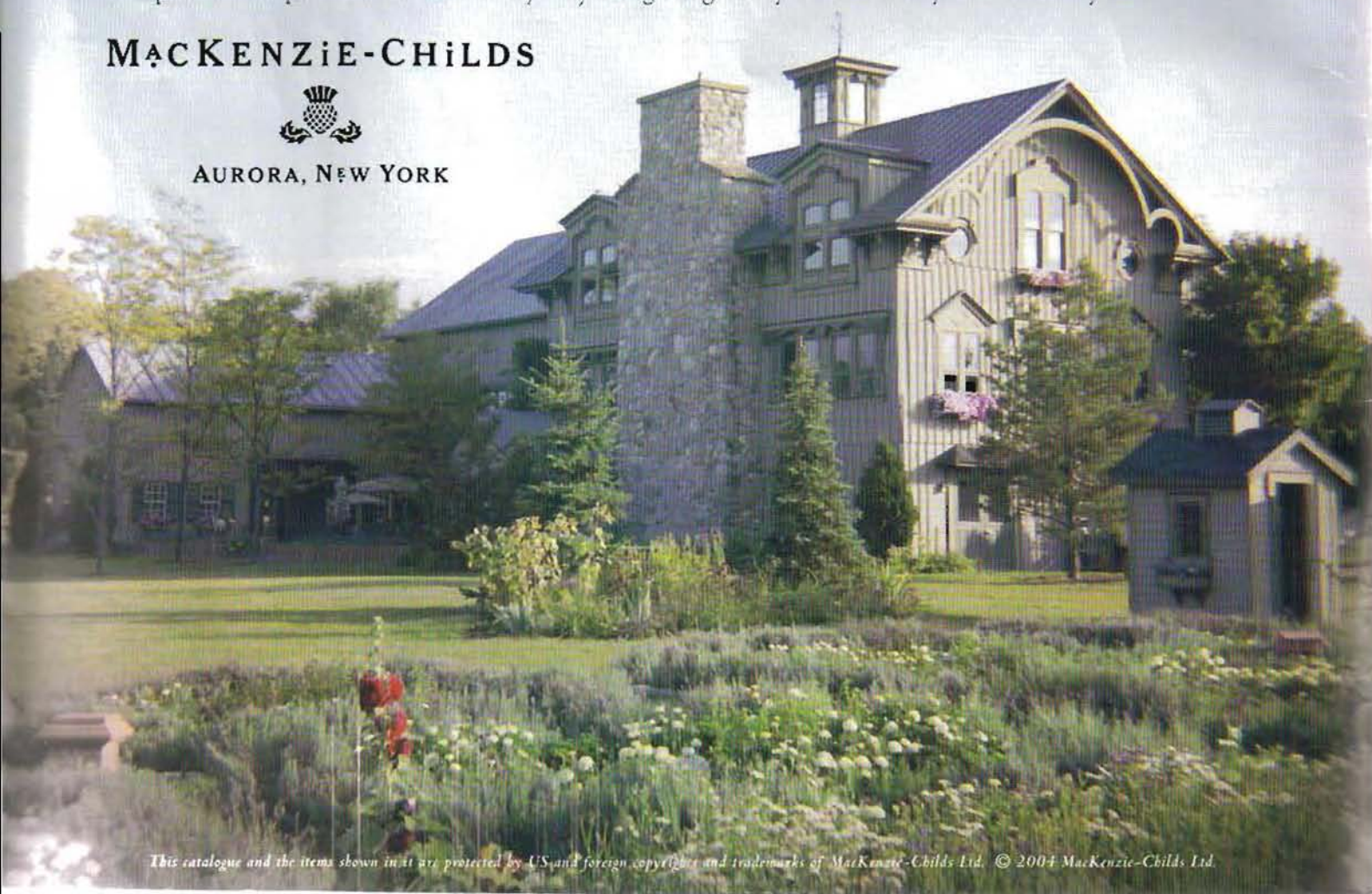
Our artisans work in an environment of singular charm—in the barns and buildings of a Victorian dairy farm in the tiny historic village of Aurora, New York. Here our Scottish Highland cattle graze in rolling meadows high above Cayuga Lake, and gaggles of geese waddle to the willow-lined pond to swim. Surrounded by rose gardens, daisy fields, and sun-dappled woods, we are constantly reminded of the beauty and bounty of the earth. We hope the joy we take in our work and in our world is captured in the spirit of the products we make. May they bring delight to you and those you love as they have to us.



## MACKENZIE-CHILDS



AURORA, NEW YORK



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## Exhibit L





*MacKenzie-Childs*™



## Taylor Salt &amp; Pepper Shakers with Tray

Shakers: 5 1/4" tall  
 Oblong tray: 9 1/4" long, 6" wide

AURORA	11466-002
BRITTANY	11466-004
CAYUGA	11466-005
HEATHER	11466-006
KING FERRY	11466-008
MONET	11466-010

Materials: Handmade and decorated majolica.



AURORA



BRITTANY



CAYUGA



HEATHER



KING FERRY



MONET

W-62.00  
 R-124.00

## Taylor Butter House

Oblong dish: 10 1/4" long x 6 1/4" wide  
 Cover: 4 3/4" tall, 6" long x 3 1/2" wide

AALSMEER	11476-001
AURORA	11476-002
KING FERRY	11476-008
MONET	11476-010
ROSE COTTAGE	11476-011
SUMMER FROCK	11476-015

Materials: Handmade and decorated majolica.



AALSMEER



AURORA



KING FERRY



MONET



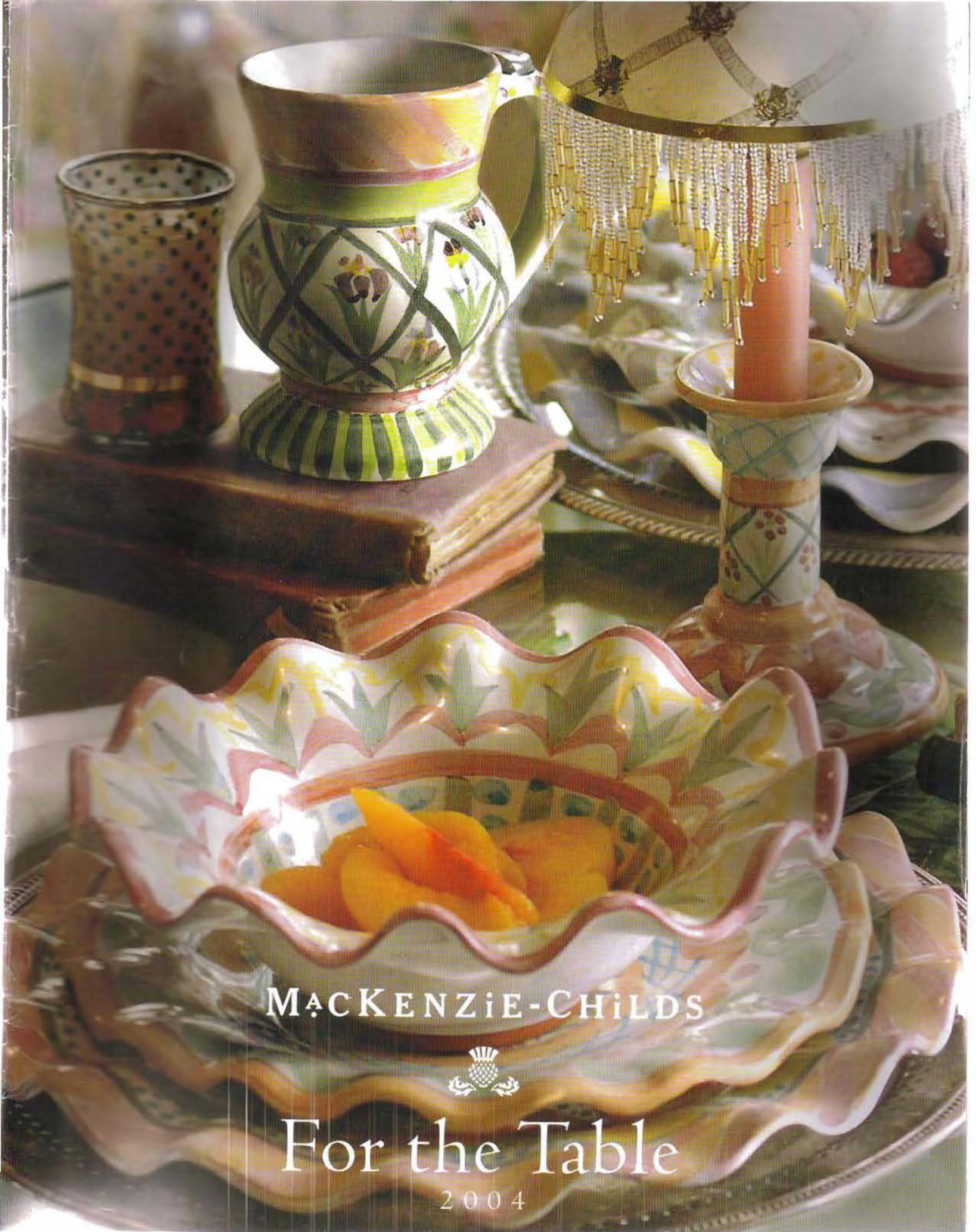
ROSE COTTAGE



SUMMER FROCK

W-62.00  
 R-124.00





MACKENZIE-CHILDS



For the Table

2004



**Taylor Sweet Stand**  
7", 9", 11" plate diameters  
17" tall  
11606-010 \$198



**Globe  
Candlestick/Vase**  
4" base diameter, 7" tall  
2 cup capacity



**Myrtle**  
11340-029 \$58

**Vase**  
5" diameter  
7" tall  
2 cup capacity



**Keukenhof**  
11340-007 \$58

**Heather**  
11800-006 \$72



**Rose Cottage**  
11800-011 \$72

**Butter Houses**  
Cover ~ 5" tall  
Tray ~ 10"x 6" oval



**Rose Cottage**  
11476-011 \$95

**Heather**  
11466-006 \$110



**Salt & Pepper Shakers**  
Shakers ~ 5" tall  
Tray ~ 9"x 6" oval



**Aalsmeer**  
11476-001 \$95

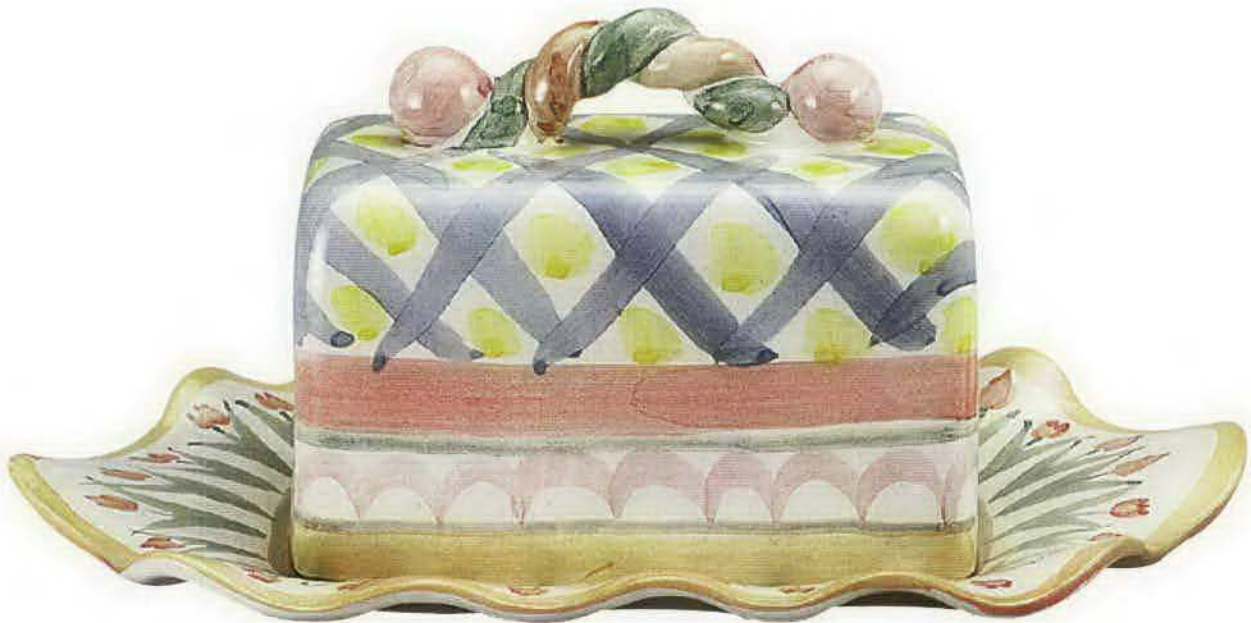
**Madison**  
11466-009 \$110



## Taylor: Aalsmeer



Salt & Pepper Set  
5.25" tall  
11465-001



Butter House  
Dish: 10.25" long, 6.25" wide  
Cover: 6" long, 4.75" tall  
11476-001

Handmade, hand-painted majolica. Pieces will vary due to the handmade nature of each product.

**MACKENZIE-CHILDS**





## Exhibit M





*MacKenzie-Childs*™



## Circus Clown Vases

## SMALL CLOWN VASE 52120

5 1/4" tall  
2 ounce capacity

## MEDIUM CLOWN VASE 52130

9 1/4" tall  
3 1/2 ounce capacity

## LARGE CLOWN VASE 52140

13" tall  
11 ounce capacity

Materials: Handblown and painted recycled glass with 24K gold and platinum embellishments, organdy ribbon.



SMALL

W-37.50  
R-75.00



MEDIUM

W-42.00  
R-84.00



LARGE

W-64.00  
R-128.00

## Circus Vase Collection

## WILLIAM 52100

6" diameter, 10 3/4" tall  
96 ounce capacity

Materials: Handblown and painted recycled glass with 24K gold, platinum and black luster embellishments. Finished with brass chain and brass half rounds.

## ALMA BETH 52110

4 3/4" diameter, 8 1/2" tall  
44 ounce capacity

Materials: Handblown and painted recycled glass with 24K gold and platinum embellishments. Finished with iridescent amber seed beads and black grosgrain ribbon.

## COURT JESTER 51271

4 9/16" diameter, 6 1/2" tall  
28 ounce capacity

Materials: Handblown and painted recycled glass with 24K gold and platinum embellishments. Finished with striped organdy ribbon.



WILLIAM

W-162.00  
R-324.00



ALMA BETH

W-134.00  
R-268.00



COURT JESTER

W-82.50  
R-165.00

Glass Group

CIR 8



## Glass Vase



William Vase  
6" dia., 10.75" tall, 3 qt.  
52100

Handblown and decorated glass with gold, platinum, and black lustre embellishments. Brass chain and half rounds.

**MACKENZIE-CHILDS**





## Exhibit N





*MacKenzie-Childs*™



# Taylor

The Taylor series is a doodly collection of patterns expressing many layers of designs interlocking within each piece. Every pattern in this series of fifteen is comfortable on or about every other pattern within the series. The Taylor is not affected by automatic dishwashers, nor by freezing. It can also be used in a microwave or convection oven if normal precautions for temperature shock are observed.

## Taylor Flat Rim Dinner Plate

11" diameter

AALSMEER	11010-001
BRIGHTON PAVILLION	11010-003
KEUKENHOF	11010-007
KING FERRY	11010-008
MADISON	11010-009
MONET	11010-010

Materials: Handmade and decorated majolica.



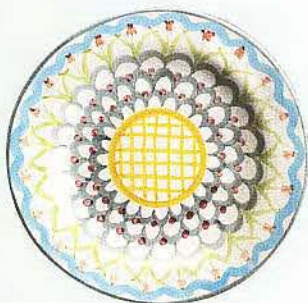
AALSMEER



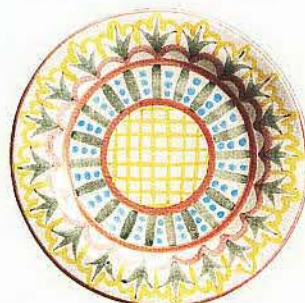
BRIGHTON PAVILLION



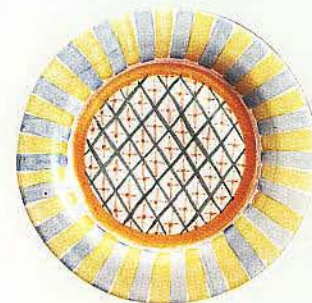
KEUKENHOF



KING FERRY



MADISON



MONET

W-\$34.00  
R-\$68.00

## Taylor Fluted Rim Dinner Plate

11" diameter

AALSMEER	11011-001
BRIGHTON PAVILLION	11011-003
KEUKENHOF	11011-007
KING FERRY	11011-008
MADISON	11011-009
MONET	11011-010

Materials: Handmade and decorated majolica.



AALSMEER



BRIGHTON PAVILLION



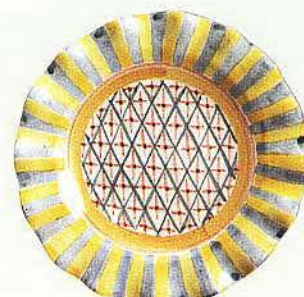
KEUKENHOF



KING FERRY



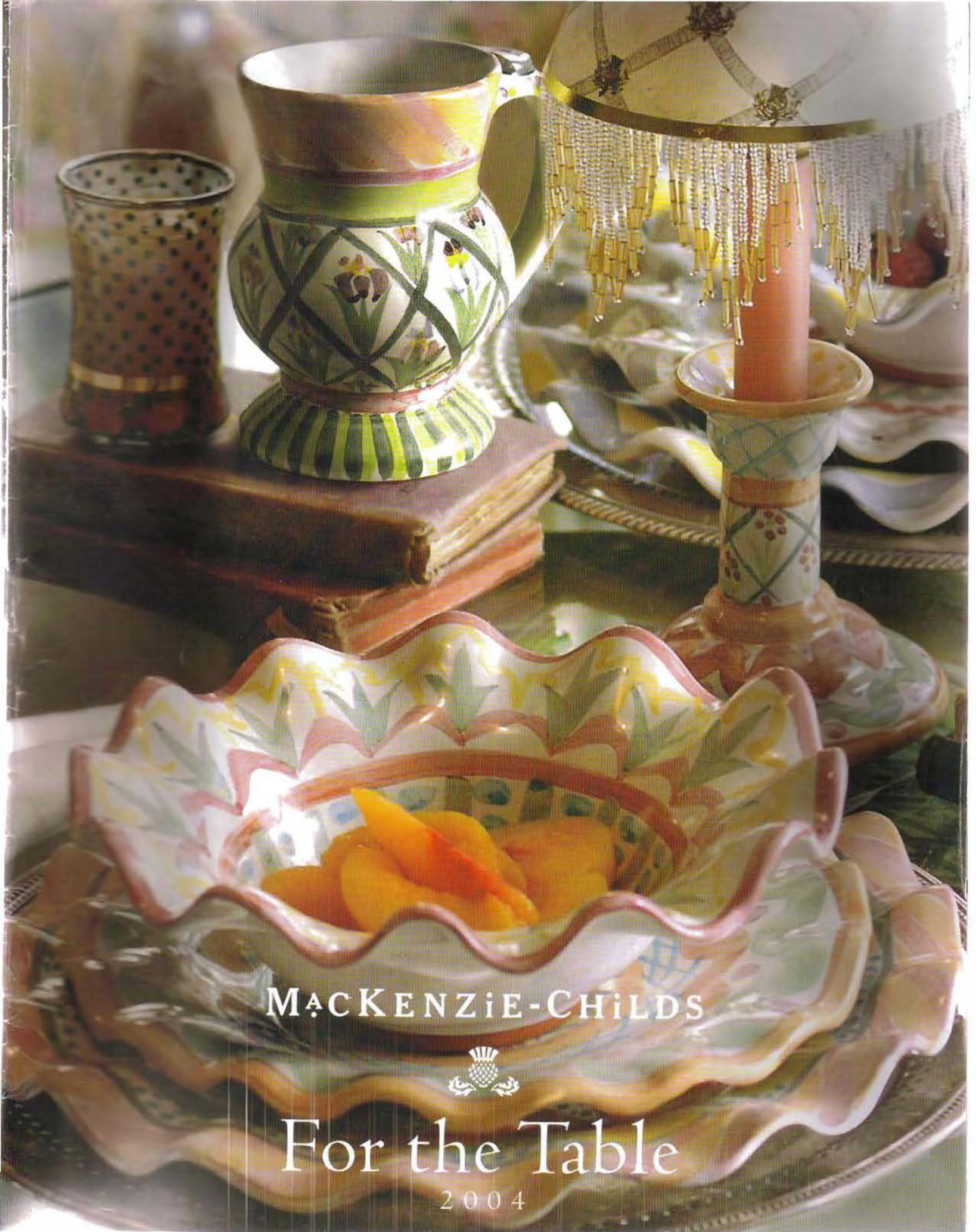
MADISON



MONET

W-\$34.00  
R-\$68.00





MACKENZIE-CHILDS



For the Table

2004





# Taylor brings the garden to the table. Pick your own bouquet!

The charming pattern names in the Taylor collection recall special places and people in the lives of its designers.



**Dinner Plate**  
*Flat Rim ~ 11" diameter*  
11010 \$48



**Aalsmeer**  
001



**Heather**  
006



**Dinner Plate**  
*Fluted Rim ~ 11" diameter*  
11011 \$48



**Bearded Iris**  
013

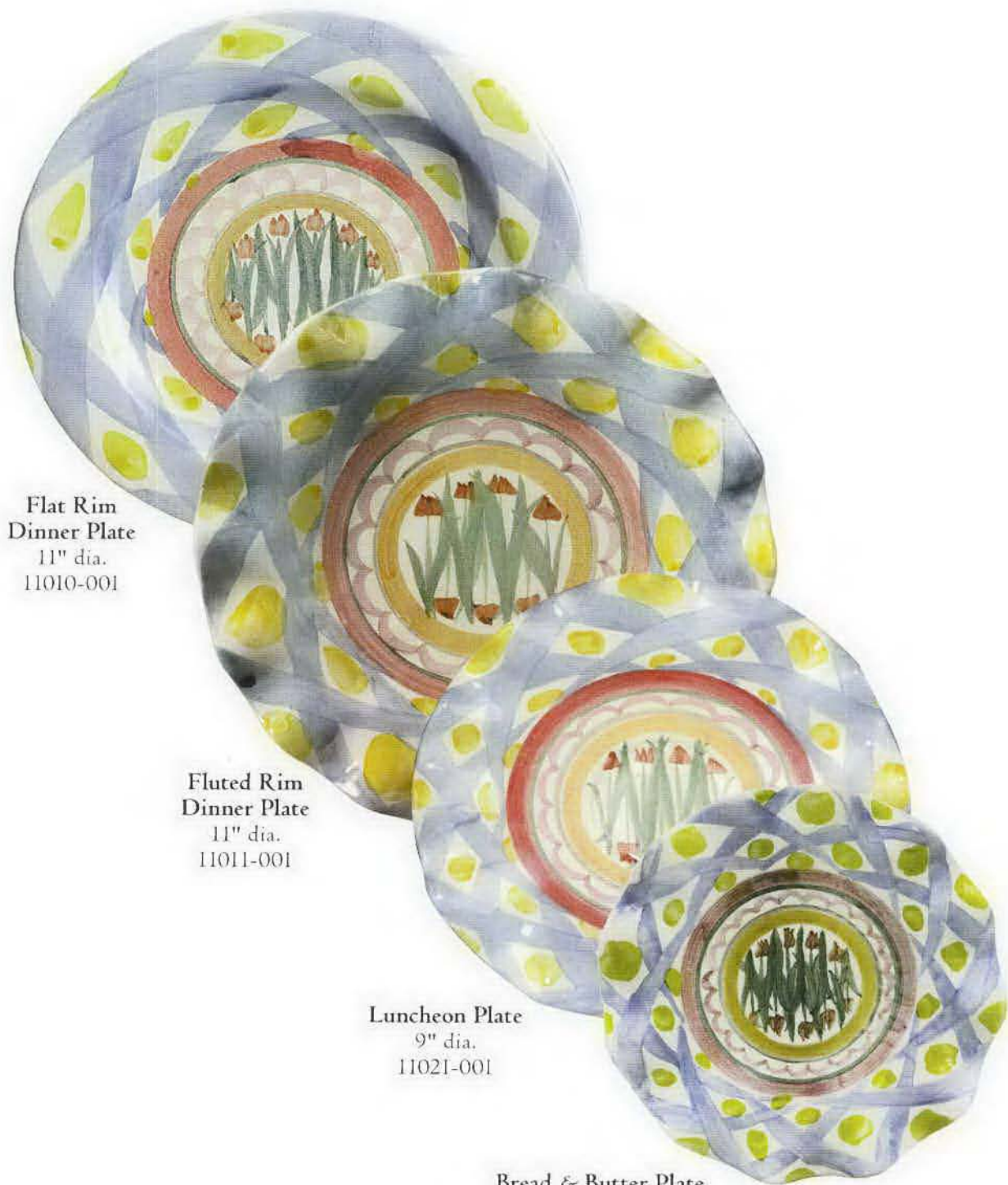


**Luncheon Plate**  
*Fluted Rim ~ 9" diameter*  
11021 \$40





# Taylor: Aalsmeer



Flat Rim  
Dinner Plate  
11" dia.  
11010-001

Fluted Rim  
Dinner Plate  
11" dia.  
11011-001

Luncheon Plate  
9" dia.  
11021-001

Bread & Butter Plate  
7" dia.  
11031-001

Handmade, hand-painted majolica. Pieces will vary due to the handmade nature of each product.

**MACKENZIE-CHILDS**





## Exhibit O





*MacKenzie-Childs*™



## Cupboard Armoire

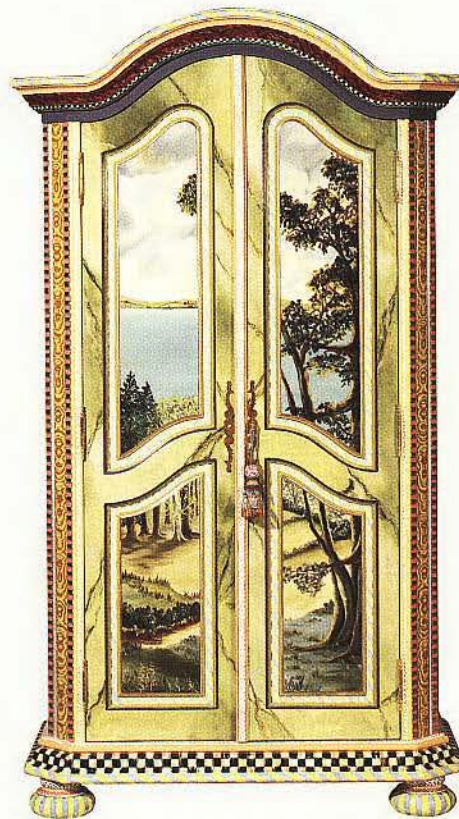
241-9100

49" wide  
26" deep  
7' 4 1/4" tall

**Materials:** Poplar and birch wood construction with handmade and decorated majolica feet, key with majolica tassel and tassel silks, brass hardware, artist oils landscape mural, faux tortoiseshell, marble and checks, oil enamels for all other decoration, 24K gold leaf, marine varnished wallpaper. **Interior:** Four shelves with wallpaper and oil enamel paint decoration.



Lead Time  
8 wks



## Entertainment Armoire

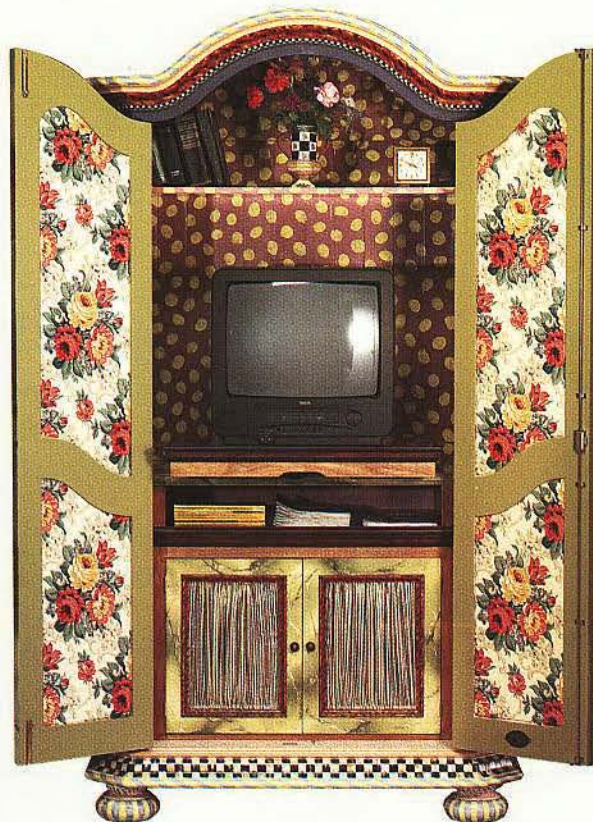
241-9103

49" wide  
26" deep  
7' 4 1/4" tall

**Materials:** Poplar and birch wood construction with handmade and decorated majolica feet, key with majolica tassel and tassel silks, brass hardware, artist oils landscape mural, faux tortoiseshell, marble and checks, oil enamels for all other decoration, 24K gold leaf, marine varnished wallpaper. **Interior:** Top shelf decorated with oil enamels, middle shelf pulls out and pivots and has storage shelf below, ruched sheer fabric on cupboard doors allows clear sound while concealing stereo components.

See Cupboard Armoire for view of exterior.

Lead Time  
14 wks





# Entertainment Scenery Armoire



Entertainment Scenery Armoire  
49" wide, 26" deep, 7' 4" tall  
241-9103

Poplar and birch wood construction with handmade and decorated majolica feet, key with majolica tassel and tassels. Brass hardware, landscape mural, faux tortoiseshell, marble, and checks. Composition gold leaf, antiqued and lacquered floral wallpaper. Middle shelf pulls out to pivot and has storage shelf below. Gathered sheer fabric on cupboard doors allows clear sound while concealing electronic components.

**MACKENZIE-CHILDS**

